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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,125	08/25/2003	Steve Grove	3801P102	3210

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EXAMINER
TRUONG, CAM Y T

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		10/648,125	GROVE ET AL.
		Examiner	**Art Unit**	
		Cam Y T Truong	2162	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-34 are pending in this Office Action.

Applicant's arguments filed 11/3/2005 have been fully considered but they are

not persuasive.

Applicant argued that Barts does not teach the claimed limitation "posting the

listing on the network-based commerce system". Bart teaches after receiving VIN from

a user, the system retrieves a list of vehicles based on the listing identification and then

displays a web page based on the search results as listing data on a network.

Displaying a web page is represented posting a list (fig. 26, page 30, lines 1-30). Thus,

it would have been obvious to a person of an ordinary skill in the art at the time the

invention was made to apply Bart's teaching of displaying the result to a user in order to

allow a user view/read a result quickly.

Applicant argued that Barts does not teach the claimed limitation "posting the

listing on the network-based commerce system". Sherr teaches displaying the text list

806 to a user after searching based on user's input on a network. Displaying is

represented as posting (fig.8, page 9, col. Right, lines 58-62).

For the above reason, examiner believed that rejection of the last office action

was proper.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth
> in section 102 of this title, if the differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

3.   Claims 1, 3, 4, 7-9, 13, 15, 16, 19-21, 23, 25, 26, and 29-31 are rejected under

35 U.S.C. 103(a) as being unpatentable over Barts et al (or hereinafter "Barts") (US

2002/0082893).

As to claim 1, Barts teaches the claimed limitations:

"receiving listing identification data from a user" as receiving VIN from user's

input (fig. 25, page29, lines 22-50);

"retrieving listing data associated with the listing based on the listing identification

data" as retrieving a list of vehicles based on the listing identification (fig. 26, page 30,

lines 1-30);

"generating a listing at least partially based on the listing data" as displaying a

web page based on the search results as listing data (fig. 26, page 30, lines 1-30).

Barts does not explicitly teach the claimed limitation "and posting the listing on

the network-based commerce system" as displaying the result to a user (fig. 27).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Bart's teaching of displaying the result to a user in

order to allow a user view/read a result quickly.

As to claims 3, 15 and 25, Barts teaches the claimed limitation "wherein the network-based commerce includes a database of listing data associated with at least one of movies, music, games, books and motor vehicles" as (fig. 27, page 30, lines 1-20).

As to claims 4, 16 and 26, Barts teaches the claimed limitation "which includes: generating a user interface with a plurality of fields; and populating the fields with the listing data" as (figs. 27-28).

As to claims 7, 19 and 29, Barts teaches the claimed limitation "wherein the listing data includes at least one of a title of the listing, a description of the listing, and an image related to the listing" as (fig. 27).

As to claims 8, 20 and 30, Barts teaches the claimed limitations:

"searching a database of reference listing data to locate at least one similar listing" as ((fig. 25, page29, lines 22-50);

"presenting the at least one similar listing to the user" as (fig. 27);

"monitoring user selection of a similar listing" (fig. 28, page 30, lines 20-40);

"and retrieving listing data associated with the similar listing to generate the listing" as (figs. 27-29).

As to claims 9, 21 and 31, Barts teaches claimed limitation "wherein the listing identification data is a Vehicle Identification Number (VIN), the method including retrieving listing data including one of a model year of the vehicle, a manufacturer of the vehicle, a number of doors of the vehicle, and an engine capacity of the vehicle" as (fig. 33).

As to claims 13 and 23, Barts teaches the claimed limitations:

"receive listing identification data from a user requiring posting of a listing on a network-based commerce system" as (fig. 26, page 29, lines 22-50);

"retrieve listing data associated with the listing based on the listing identification data" as (fig. 26, page 30, lines 1-30);

"generate a listing at least partially based on the listing data" as (fig. 26, page 30, lines 1-30).

Barts does not explicitly teach the claimed limitation "and post the listing on the network-based commerce system". However, Barts teaches displaying the result to a user (fig. 27).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bart's teaching of displaying the result to a user in order to allow a user view/read a result quickly.

4.   Claims 2, 14, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barts in view of Johnson (US 2002/0083448).

As to claims 2, 14 and 24, Barts discloses the claimed limitation subject matter in claim 1, except the claimed limitation "which includes allowing the user to edit the listing data prior to posting the listing". Johnson teaches a user may edit the viewed time list in order to provide a better filter for the television programs to be predicted (fig. 6C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Johnson's teaching of a user may edit the viewed time list in order to provide a better filter for the television programs to be predicted to Barts's system in order to provide a result corresponding user's desire and save time for a user searching/retrieving data.

5.   Claims 5, 6, 17-18 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barts in view Erdelyi (US 6631522).

As to claims 5 and 27, Barts discloses the claimed limitation subject matter in claim 1, except the claimed limitation, "which includes providing a plurality of check boxes each of which are associated with an attribute of the listing and automatically without human intervention checking attributes based on the listing data". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a

player in the scrollable list to display that player's information in the player Information

box to Barts's system in order to save time for a user to fill out detail information about a

item.

As to claims 6, 18 and 28, Barts discloses the claimed limitation subject matter in

claim 1, except the claimed limitation "which includes allowing the user to modify checks

in the check boxes". Erdelyi teaches a user can modify a check box that associated

with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Erdelyi's teaching of a user can modify a check box

that associated with a attribute to Barts's system in order to allow a user to view a item

in different feature.

As to claim 17, Barts discloses the claimed limitation subject matter in claim 1,

except the claimed limitation, "which includes providing a plurality of check boxes each

of which are associated with an attribute of the listing and automatically checking

attributes based on the listing data without human intervention". Erdelyi teaches that

after a user selects the name of a player in the scrollable list to display that player's

information in the player Information box. The system automatically displays a plurality

of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Erdelyi's teaching of after a user selects the name of a

player in the scrollable list to display that player's information in the player Information

box to Barts's system in order to save time for a user to fill out detail information about a

item.

5.   Claims 10-12, 22 and 32-34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Barts in view of Ortega et al (or hereinafter "Ortega") (US 6410084).

        As to claims 10, 22 and 32, Barts discloses the claimed limitation subject matter

in claim 1, except the claimed limitation "wherein the listing identification data is one of a

movie title and UPC code, the method including retrieving listing data in the form of

details on the movie". Ortega teaches retrieving a movie based on movie title as (col. 3,

lines 60-65).

        It would have been obvious to a person of an ordinary skill in the art at the time

the invention was made to apply Ortega's teaching of allow a user to search item based

on book titles and music titles to Bart's system to allow a user to search/retrieve a movie

and identify explicitly or implicitly a record field corresponding to a user's desires.

        As to claims 11 and 33, Barts discloses the claimed limitation subject matter in

claim 1, except the claimed limitation "wherein the listing identification data is one of a

book title and UPC code, the method including retrieving listing data in the form of

details on the book. Ortega teaches allow a user to search item based on book titles

and music titles (col. 3, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based on book titles and music titles to Barts's system in order to allow a user to search/retrieve a movie and identify explicitly or implicitly a record field corresponding to a user's desires.

As to claims 12 and 34, Barts discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the listing identification data is one of a music title and UPC code, the method including retrieving listing data in the form of details on the music". Ortega teaches allow a user to search item based on book titles and music titles (col. 3, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based on book titles and music titles to Barts's system in order to allow a user to search/retrieve a movie and identify explicitly or implicitly a record field corresponding to a user's desires.

6.   Claims 1, 3, 4, 7-8, 10, 13, 15, 16, 19, 20, 22, 23, 25, 26, 29, 30, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherr et al (or hereinafter "Sherr") (US 2002/0154157).

As to claim 1, Sherr teaches the claimed limitations:

"receiving listing identification data from a user" as the user has selected to search for content items such as movies according to genere and to display information identifying such content items in a text list. Genre is represented as identification data from a user (page 9, col. Right, lines 36-48);

"retrieving listing data associated with the listing based on the listing identification data" as retrieving content items in a text list based on Genre (page 9, col. Right, lines 38-40);

"generating a listing at least partially based on the listing data" as the results of the search are presented to the user in text list 806 as shown in fig. 8 (page 9, col. Right, lines 58-62);

Sherr does not explicitly teach the claimed limitation "and posting the listing on the network-based commerce system". However, Sherr teaches displaying the text list 806 to a user after searching based on user's input (fig.8, page 9, col. Right, lines 58-62).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bart's teaching of displaying the result to a user in order to allow a user view/read a result quickly.

As to claims 3, 15 and 25, Sherr teaches the claimed limitation "wherein the network-based commerce includes a database of listing data associated with at least one of movies, music, games, books and motor vehicles" as ((page 10, col. Right, lines 1-10).

As to claims 4, 16 and 26, Sherr teaches the claimed limitation "which includes: generating a user interface with a plurality of fields; and populating the fields with the listing data" as (figs. 8-11).

As to claims 7, 19, and 29, Sherr teaches the claimed limitation "wherein the listing data includes at least one of a title of the listing, a description of the listing, and an image related to the listing" as (fig. 10).

As to claims 8, 20 and 30, Sherr teaches the claimed limitations:

"searching a database of reference listing data to locate at least one similar listing" as the user has selected to search for content items such as movies according to genre and to display information identifying such content items in a text list. Genre is represented as identification data from a user (page 9, col. Right, lines 36-48);

"presenting the at least one similar listing to the user" as retrieving content items in a text list based on Genre (page 9, col. Right, lines 38-40);

"monitoring user selection of a similar listing" as the results of the search are presented to the user in text list 806 as shown in fig. 8 (page 9, col. Right, lines 58-62);

"and retrieving listing data associated with the similar listing to generate the listing" as retrieving comedy associated with listing data 706 to generate the list 806 (figs 6-8).

As to claims 10, 22 and 32, Sherr teaches the claimed limitation "wherein the listing identification data is one of a movie title and UPC code, the method including retrieving listing data in the form of details on the movie" as (figs. 6-8).

As to claims 13 and 23, Sherr teaches the claimed limitations:

"receive listing identification data from a user requiring posting of a listing on a network-based commerce system" as the user has selected to search for content items such as movies according to genre and to display information identifying such content items in a text list. Genere is represented as identification data from a user (page 9, col. Right, lines 36-48);

"retrieve listing data associated with the listing based on the listing identification data" as retrieving content items in a text list based on Genre (page 9, col. Right, lines 38-40);

"generate a listing at least partially based on the listing data" as the results of the search are presented to the user in text list 806 as shown in fig. 8 (page 9, col. Right, lines 58-62).

Sherr does not explicitly teach the claimed limitation "and posting the listing on the network-based commerce system". However, Sherr teaches displaying the text list 806 to a user after searching based on user's input (fig.8, page 9, col. Right, lines 58-62).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bart's teaching of displaying the result to a user in order to allow a user view/read a result quickly.

7.   Claims 2, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherr et al (or hereinafter "Sherr") (US 2002/0154157) in view of Johnson (US 2002/0083448).

As to claims 2, 14 and 24, Sherr discloses the claimed limitation subject matter in claim 1, except the claimed limitation "which includes allowing the user to edit the listing data prior to posting the listing". Johnson teaches a user may edit the viewed time list in order to provide a better filter for the television programs to be predicted (fig. 6C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Johnson's teaching of a user may edit the viewed time list in order to provide a better filter for the television programs to be predicted to Sherr's system in order to provide a result corresponding user's desire and save time for a user searching/retrieving data.

8.   Claims 5, 6, 17-18 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherr in view of Porat et al (or hereinafter "Porat") (US 2002/0026353).

As to claims 5 and 27, Sherr discloses the claimed limitation subject matter in claim 1, except the claimed limitation, "which includes providing a plurality of check boxes each of which are associated with an attribute of the listing and automatically without human intervention checking attributes based on the listing data". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a player in the scrollable list to display that player's information in the player Information box to Sherr's system in order to save time for a user to fill out detail information about a item.

As to claims 6, 18 and 28, Sherr discloses the claimed limitation subject matter in claim 1, except the claimed limitation "which includes allowing the user to modify checks in the check boxes". Erdelyi teaches a user can modify a check box that associated with an attribute (fig. 5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of a user can modify a check box that associated with a attribute to Sherr's system in order to allow a user to view a item in different feature.

As to claim 17, Sherr discloses the claimed limitation subject matter in claim 1, except the claimed limitation, "which includes providing a plurality of check boxes each of which are associated with an attribute of the listing and automatically checking attributes based on the listing data without human intervention". Erdelyi teaches that after a user selects the name of a player in the scrollable list to display that player's information in the player Information box. The system automatically displays a plurality of check boxes to a user (fig. 4C).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Erdelyi's teaching of after a user selects the name of a player in the scrollable list to display that player's information in the player Information box to Sherr's system in order to save time for a user to fill out detail information about a item.

9.   Claims 9, 21 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherr et al (or hereinafter "Sherr") (US 2002/0154157) in view of Sherr et al (or hereinafter "Sherr") (US 2002/0082893).

As to claims 9, 21 and 31, Sherr discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the listing identification data is a Vehicle Identification Number (VIN), the method including retrieving listing data including one of a model year of the vehicle, a manufacturer of the vehicle, a number of doors of the

vehicle, and an engine capacity of the vehicle". Sherr teaches one matching vehicle found these vehicles include VIN and model year (fig. 33).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Bart's teaching of one matching vehicle found this vehicles include VIN and model year to Sherr's system in order to let users know details about a vehicle before they buy.

10. Claims 11-12 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sherr et al (or hereinafter "Sherr") (US 2002/0154157) in view of Ortega et al (or hereinafter "Ortega") (US 6410084).

As to claims 11 and 33, Sherr discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the listing identification data is one of a book title and UPC code, the method including retrieving listing data in the form of details on the book. Ortega teaches allow a user to search item based on book titles and music titles (col. 3, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based on book titles and music titles to Sherr's system in order to allow a user to search/retrieve a movie and identify explicitly or implicitly a record field corresponding to a user's desires.

As to claims 12 and 34, Sherr discloses the claimed limitation subject matter in claim 1, except the claimed limitation "wherein the listing identification data is one of a music title and UPC code, the method including retrieving listing data in the form of details on the music". Ortega teaches allow a user to search item based on book titles and music titles (col. 3, lines 60-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Ortega's teaching of allow a user to search item based on book titles and music titles to Sherr's system in order to allow a user to search/retrieve a movie and identify explicitly or implicitly a record field corresponding to a user's desires.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
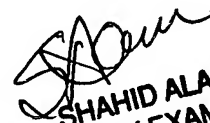
Contact Information

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cam-Y Truong
Patent Examiner
Art Unit 2162
3/14/2005

SHAHID ALAM
PRIMARY EXAMINER